

05-1256 PHILIP MORRIS USA V. WILLIAMS

QUESTIONS PRESENTED

1. Whether, in reviewing a jury's award of punitive damages, an appellate court's conclusion that a defendant's, conduct was highly reprehensible and analogous to a crime can "override" the constitutional requirement that punitive damages be reasonably related to the plaintiffs harm.
2. Whether due process permits a jury to punish a defendant for the effects of its conduct on non-parties.
- ~~3. Whether, in reviewing a punitive award for excessiveness, an appellate court is permitted to give the plaintiff the benefit of all conceivable inferences that might support a finding of high reprehensibility even if the jury made no such specific factual findings.~~

Cert Granted 5/30/06

Limited to Questions 1 and 2 presented by the petition.